

To: Erin Foresman/R9/USEPA/US@EPA;"Robershotte, Paul J SPD"
[Paul.J.Robershotte@usace.army.mil]; Robershotte, Paul J SPD"
[Paul.J.Robershotte@usace.army.mil]
Cc: Tom Hagler/R9/USEPA/US@EPA[]
From: "Nepstad, Michael G SPK"
Sent: Thur 6/23/2011 6:52:07 PM
Subject: RE: FW: Call on Friday (UNCLASSIFIED)
[smime.p7s](#)

Erin's answer was great, only thing I'd add is sooner they give us information, the sooner we can work issues through to resolution.

Michael G. Nepstad
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-----Original Message-----

From: Foresman.Erin@epamail.epa.gov [mailto:Foresman.Erin@epamail.epa.gov]
Sent: Thursday, June 23, 2011 10:24 AM
To: Robershotte, Paul J SPD
Cc: Nepstad, Michael G SPK; Hagler.Tom@epamail.epa.gov
Subject: Re: FW: Call on Friday (UNCLASSIFIED)

Hi Paul,

I added you this AM when I got here. I'm really sorry about the email yesterday. I rushed to send it out and I realized on the way to pick up my kids that I used the meeting list and that you were not on it. The best I could do from my car was ask one of the recipients to forward it to you. Totally not ideal, but thank goodness for iPhone!

Hope conversation with M. Cowin goes well. From the discussion we had yesterday, it sounds like you have a very good understanding of the issues. Addressing CWA and NEPA together will take less time and reduce risk of litigation in the life of the project than proceeding sequentially. Going through NEPA for ESA and afterward approaching the Corps for a CWA Section

404 permit could result in a situation where an alternative is chosen for the conveyance under ESA that is not the least environmentally damaging practicable alternative for CWA with an EIS to show it. That puts the Corps and DWR in a situation where it is difficult to understand how the Corps could issue a CWA 404 permit to DWR for the conveyance. Addressing CWA and ESA together under NEPA avoids the potential for that difficult situation.

Erin Foresman

Environmental Scientist & Policy Coordinator, US EPA Region 9 C/O Army Corps of Engineers 650 Capitol Mall Suite 5-200, Sacramento, CA 95814

Phone: (916) 557 5253, Fax: (916) 930 9506

<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>

-----"Robershotte, Paul J SPD" <Paul.J.Robershotte@usace.army.mil> wrote:

To: "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>,

Erin Foresman/R9/USEPA/US@EPA

From: "Robershotte, Paul J SPD" <Paul.J.Robershotte@usace.army.mil>

Date: 06/23/2011 09:48AM

Subject: FW: Call on Friday (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Mike & Erin

I will be talking to Mark Cowin tomorrow. Any other thoughts?

Also, Erin, I

know I am a Johnny-come-lately to your MOU distribution list, but if you

could add me, rather than have Mike, David or Patti forward them to me, I'd

appreciate it.

Best

Paul

-----Original Message-----

From: Friend, Janiene [mailto:friend@water.ca.gov]

Sent: Thursday, June 23, 2011 9:30 AM

To: 'Nawi, David'; Cowin, Mark

Cc: Robershotte, Paul J SPD

Subject: RE: Call on Friday

That's perfect. How about calling in to 916-651-7893? Thank you.

Thanks,

Janiene Friend

From: Nawi, David [mailto:David_Nawi@ios.doi.gov]
Sent: Thursday, June 23, 2011 9:25 AM
To: Cowin, Mark
Cc: Friend, Janiene; Robershotte, Paul J SPD
Subject: Call on Friday

Mark - Are you free for a conversation with Paul and me on Friday?
How about
10:00 a.m.?

David

Classification: UNCLASSIFIED
Caveats: NONE